

DONNA L. SOTO, ADMINISTRATRIX OF THE ESTATE OF VICTORIA L. SOTO et al.	:	SUPERIOR COURT
	:	
Plaintiffs,	:	JUDICIAL DISTRICT OF FAIRFIELD
	:	
v.	:	AT BRIDGEPORT
	:	
BUSHMASTER FIREARMS INTERNATIONAL, LLC, et al.	:	October 3, 2016
	:	
Defendants.	:	

REMINGTON’S OBJECTIONS AND RESPONSES TO PLAINTIFFS’ FIRST SET OF INTERROGATORIES

Defendants Remington Arms Company, LLC and Remington Outdoors Company, Inc., through their counsel, object to and answer Plaintiffs’ First Set of Interrogatories as follows:

DEFINITIONS

1. “The Company” means Remington Outdoor Company, Inc., Remington Arms Company, LLC, and any and all subsidiaries, affiliated brands, and predecessor companies, including but not limited to Freedom Group, Inc. and Bushmaster Firearms, LLC, including their current and former employees agents, officers, directors, and representatives.

2. “AR-15 type rifle” means a gas-operated, magazine fed, AR-15/M16/M4/ACR type rifle, regardless of whether it is semi-automatic or select fire.

3. “Civilian market” means all domestic, non-military, non-law-enforcement potential buyers or consumers of AR-type rifles, including distributors and retailers that sell to civilians.

Unless otherwise specified, this First Set of Interrogatories seeks information from the period January 1, 2006 to the present.

INTERROGATORIES

1. State as to each interrogatory below, the name, address and the title of the person or persons providing the answer, and please state the specific interrogatory answered by each individual.

ANSWER: The answers to these interrogatories are made by Remington Arms Company LLC and Remington Outdoor Company, Inc., with the assistance of counsel. Kris Carson, Director Product Affairs, has certified the answers provided.

2. Identify each person, whether employee, agent, or other representative of the Company, or any third party, with the most knowledge of the matters alleged in plaintiffs' operative Complaint and for each person listed, give a brief statement as to the substance of such knowledge or information.

ANSWER: Remington objects to this interrogatory because it is vague, compound in form, overly broad and unduly burdensome. Plaintiffs' definition of "the Company" includes multiple corporations and limited liability companies, and includes different multiple business entities that did not manufacture or sell the firearm used by Adam Lanza in the shooting. The firearm involved in the shooting was manufactured by Bushmaster Firearms International, LLC ("BFI") in 2009 at its Windham, Maine location, and shipped from that location by BFI in 2010.

Remington further objects to this interrogatory on the ground that there is nothing in the Practice Book requiring a party to identify persons who are "most knowledgeable" on discoverable topics, and any such request invades the attorney work-product privilege. Remington also objects on the ground that "the matters alleged" in plaintiffs' complaint is vague and non-specific, and it seeks information on multiple matters that are not reasonably calculated to lead to the discovery of admissible evidence.

3. Identify any entities that have provided advice, coordination, assistance, or other services concerning advertising, marketing, public relations, market research, focus groups, social or online media monitoring, product promotion, and/or product placement for the Company's AR-15 type rifles. For each such entity listed, describe the nature of the relationship

with the Company, the nature of the services provided, the time period during which those services were provided, and identify the person at each entity who was/is responsible for the provision of services to the Company. **This Interrogatory seeks information for the time period from January 1, 2006 to June 14, 2013.**

ANSWER:

Remington objects to this request because it is vague, compound in form, overly broad and unduly burdensome. Plaintiffs' definition of "the Company" includes multiple corporations and limited liability companies, and includes multiple different business entities that did not manufacture or sell the firearm used by Adam Lanza in the shooting. The firearm involved in the shooting was manufactured by Bushmaster Firearms International, LLC ("BFI") in 2009 at its Windham, Maine location, and shipped from that location by BFI in 2010. This interrogatory is also overly broad in scope and time because it seeks information relating to events that occurred after the December 14, 2012 shooting.

Subject to and without waiving these objections, Remington states that Retail Sports Marketing ("RSM") provided marketing services for BFI during the stated time period. Multiple persons at RSM had responsibility for the services provided, including Mike Ladd. Brothers & Company also provided marketing services for BFI during the stated time period. Multiple persons at Brothers & Company had responsibility for the services provided, including James Lawson. Campbell, Ewald also provided marketing services for BFI, during the stated time period. Remington's investigation continues as to the person at Campbell, Ewald who had responsibility for the services provided.

4. Identify any individuals, companies or other entities from whom the Company has purchased AR-15 type rifles or the frames or receivers thereof, and provide the name of each entity, its location, the time period during which said purchases were made, and the name of the person(s) at the entity who was/is responsible for handling the Company's purchases.

ANSWER:

Remington objects to this request because it is vague, compound in form and overly broad. Plaintiffs' definition of "the Company" includes multiple corporations and limited liability companies, and includes

multiple different business entities that did not manufacture or sell the firearm used by Adam Lanza in the shooting. The firearm involved in the shooting was manufactured by Bushmaster Firearms International, LLC (“BFI”) in 2009 at its Windham, Maine location, and shipped from that location by BFI in 2010.

Subject to and without waiving these objections, Remington states that LAR Manufacturing produced, under an ATF variance, XM15-E2S lower receivers used by BFI to manufacture AR-type rifles in 2009 and 2010. The name of the person “responsible” for LAR Manufacturing’s production of lower receivers on BFI’s behalf in 2009 is not presently known.

5. Identify any individuals, companies or other entities from whom the Company has purchased firearm parts used to manufacture AR-15 type rifles, and provide the name of each entity, its location, the time period during which said purchases were made, and the name of the person(s) at the entity who was/is responsible for handling the Company's purchases.

ANSWER:

Remington objects to this interrogatory because it is compound in form, overly broad and unduly burdensome. Plaintiffs’ definition of “the Company” includes multiple different corporations and limited liability companies, and includes multiple business entities that did not manufacture or sell the firearm used by Adam Lanza in the shooting. The firearm involved in the shooting was manufactured by Bushmaster Firearms International, LLC (“BFI”) in 2009 at its Windham, Maine location, and shipped from that location by BFI in 2010.

Subject to and without waiving these objections, Remington states that LAR Manufacturing produced, under an ATF variance, XM15-E2S lower receivers used by BFI to manufacture AR-type rifles in 2009 and 2010. The name of the person “responsible” for LAR Manufacturing’s production of lower receivers on BFI’s behalf is not presently known.

6. Concerning the Bushmaster XM15-E2S rifle, serial number L534858, that was sold to Camfour in 2010, please state:

- a. When the rifle was manufactured;
- b. Where the rifle was manufactured;
- c. Whether the rifle was composed of any firearm parts purchased from outside the Company;
- d. If the answer to 6(c) is in the affirmative, identify each purchased part and provide the name of the entity from which it was purchased, the entity's location, when the part was purchased, and the name of any persons at the entity who were involved in the purchase.

ANSWER:

Remington objects to this interrogatory on the ground that it is overly broad and unduly burdensome.

Subject to and without waiving these objections, the rifle with serial number L534858 was manufactured by BFI in 2009 at BFI's facility in Windham, Maine. The rifle's lower receiver was produced on BFI's behalf by LAR Manufacturing, under an ATF variance. The name of the person "involved in the purchase" of the lower receiver at LAR Manufacturing is not presently known.

7. Identify the individual or individuals whose job description or responsibilities most closely correspond(s) to the subjects listed below and provide the dates such individual held such responsibilities and the individual's title at the time he or she held those responsibilities. State whether each individual listed is currently employed by the Company, and, if so, in what capacity and where such individual is presently employed.

- a. Sales of AR-15 type rifles to major chain retail stores such as Wal-Mart and Dick's Sporting Goods;
- b. Sales of AR-15 type rifles to shooting ranges, gun clubs, and other entities dedicated to recreational shooting;
- c. Sales of AR-15 type rifles to federal firearm dealers;
- d. Sales of AR-15 type rifles to Camfour, Inc.;
- e. Distribution and sale of AR-15 type rifles to the civilian market;
- f. Sales of AR-15 type rifles to law enforcement markets;
- g. Sales of AR-15 type rifles to military markets;

- h. The Company's Defense Division;
- i. The Company's Global Military Products Division;
- j. Research and development of AR-15 type rifles;
- k. Customization of AR-15 type rifles;
- l. Marketing of AR-15 type rifles in print media;
- m. Marketing of AR-15 type rifles in broadcast media;
- n. Marketing of AR-15 type rifles in digital media;
- o. Marketing of AR-15 type rifles in social media;
- P. Marketing of the Bushmaster brand;
- q. Marketing and sale of the Bushmaster XM15-E2S;
- r. Collaboration with consulting firms, marketing firms, and/or public relations firms concerning advertising, marketing, distribution and/or sale of AR-15 type rifles to the civilian market;
- s. Market research on the advertising and sale of AR-15 type rifles to the civilian market;
- t. Focus groups on the advertising and sale of AR-15 type rifles to the civilian market;
- u. Approval of imagery and advertising copy in Bushmaster Product Catalogues, including the 2010 Catalogue that includes the advertising copy, "Forces of opposition, bow down. You are single-handedly outnumbered";
- v. Development of the Bushmaster "man card" marketing campaign and use of imagery and advertising copy in that campaign;
- w. Determination of the parameters of any database or collection of data created by or utilized by the Company on consumer preferences, demographics, and/or buying patterns, including but not limited to the "extensive and proprietary database of consumer data" referenced in the Company's annual reports;
- x. Development of marketing strategy based on any database or collection of data described in Interrogatory No. 7, Subpart w;
- y. Marketing strategy for AR-15 type rifles;

- z. Oversight and awareness of use of any Company logo or brand name by other non-Company entities, including but not limited to video and online games, television, and film;
- aa. Monitoring and awareness of online and/or social media sites concerning AR-15 type rifles, including but not limited to the website www.ar15.com;
- bb. Acquisition of the Bushmaster brand and/or Bushmaster Firearms International, LLC by the Company and/or Cerberus Capital Management. This subpart of this Interrogatory seeks information from the point in time at which the acquisition of the Bushmaster brand and/or Bushmaster Firearms International, LLC was first contemplated;
- cc. Development of the Company's Code of Business Conduct and Ethics or similar document;
- dd. Application for and status of any Type 01 Dealer Federal Firearms License held by the Company;
- ee. Purchase by the Company of AR-15 type rifles or the frames or receivers thereof;
- ff. Relationships with firearms distributors in the Northeastern region of the United States, including but not limited to Camfour, Inc.;
- gg. Relationships with firearms retailers in the Northeastern region of the United States, including but not limited to Riverview Sales, Inc.

ANSWER:

Remington objects to this interrogatory because it is compound in form, overly broad in time and scope and unduly burdensome. Furthermore, this interrogatory seeks information that is not reasonably calculated to lead to admissible evidence. Plaintiffs' definition of "the Company" includes multiple corporations and limited liability companies, and includes different multiple business entities that did not manufacture or sell the firearm used by Adam Lanza in the shooting. The firearm involved in the shooting was manufactured by Bushmaster Firearms International, LLC ("BFI") in 2009 at its Windham, Maine location, and shipped from that location by BFI in 2010.

This interrogatory is also overly broad in scope and time, unduly burdensome and harassing in that it seeks identification of perhaps hundreds of present and former employees, employed by multiple companies at multiple locations, who may have had some level of involvement, however minimal, in the marketing, promotion and sale of AR-type rifles over more than a ten year period.

This interrogatory is not reasonably calculated to lead to the discovery of admissible evidence in that it seeks information on multiple subjects that are irrelevant to the issues in this case.

Subject to and without waiving these objections, Remington states that it has previously produced detailed organizational charts, which identify persons by job title who had responsibility for the marketing, promotion and sale of firearms at Remington Arms Company LLC from 2011 – 2016. (REM 03212–03257). Remington will produce additional Remington Arms Company, LLC organizational charts for the years 2006 – 2010 and BFI organizational charts for the years 2009 and 2010. In addition, BFI and Remington Arms Company, LLC written job descriptions for sales and marketing positions will be produced. Last known addresses for persons identified on the organizational charts who are no longer employed by Remington will be provided upon requests under the terms of the Court’s Protective Order.

8. Do you carry primary professional liability insurance coverage that applies to plaintiffs' claims?

ANSWER: No.

9. Do you carry professional secondary insurance coverage that applies to plaintiffs' claims?

ANSWER: No.

10. Do you carry professional excess insurance coverage that applies to plaintiffs' claims?

ANSWER:

No.

11. If any of your answer(s) to Interrogatories 8, 9, or 10 is in the affirmative:
- a. Identify all policies that apply to plaintiffs' claims;
 - b. Provide the limits of each policy;
 - c. Provide the policy numbers;
 - d. Provide the name of the company;
 - e. Provide effective dates of the policy; and
 - f. Indicate whether coverage for each policy is primary, secondary or excess.

ANSWER:

Not applicable.

12. State whether any insurer, as described in Interrogatories 8., 9, 10, and 11 above, has disclaimed/ reserved its duty to indemnify any insured or other person protect by said policy.

ANSWER:

Not applicable.

THE DEFENDANTS,

REMINGTON ARMS CO., LLC and
REMINGTON OUTDOOR COMPANY, INC.

BY: /s/ Scott M. Harrington/#307196

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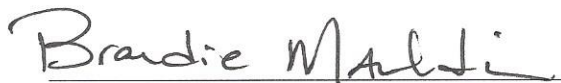
VERIFICATION

I hereby certify that I have reviewed the above Responses to Interrogatories and that they are true and accurate to the best of my knowledge and belief.



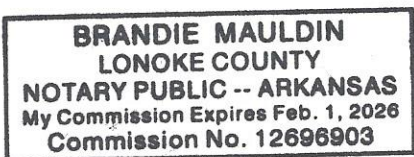
Kris Carson

Subscribed and sworn to before
me this 27 day of September, 2016.



Notary Public

My Commission Expires:



CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was mailed on October 3, 2016 to the following counsel:

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